

United States District Court  
for the  
Western District of New York



United States of America

v.

Case No. 18-mj- 5275

JEFFREY RICHARDS

*Defendant*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

**COUNT 1**

On or about December 14, 2018, in the County of Niagara, in the Western District of New York, the defendant, Jeffrey Richards, knowingly, intentionally, and unlawfully possessed with intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

**COUNT 2**

On or about December 14, 2018, in the County of Niagara, in the Western District of New York, the defendant, Jeffrey Richards, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, a violation of Title 21, United States Code, Section 841(a)(1), committed in the manner set forth in Count 1, the allegations of which are incorporated by reference, knowingly and unlawfully possessed approximately ten firearms, all in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

**COUNT 3**

On or about December 14, 2018, in the County of Niagara, in the Western District of New York, the defendant, Jeffrey Richards, knowingly, intentionally and unlawfully maintained a premises for the purpose of distributing, storing, and manufacturing controlled substances, in violation of Title 21, United States Code, Section 856.

**COUNT 4**

On or about December 14, 2018, in the County of Niagara, in the Western District of New York, the defendant, Jeffrey Richards, knowingly made a firearm, namely, an explosive device, a destructive device as described in Title 26, United States Code, Sections 5845(a)(8) and 5845(f), in violation of Chapter 53 of Title 26, United States Code, all in violation of Title 26, United States Code, Sections 5822, 5845(a)(8), 5845(f), 5845(i), 5861(f), and 5871.

This Criminal Complaint is based on these facts:

Continued on the attached sheet.



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*Thomas V. Weis*  
Complainant's signature

THOMAS V. WEIS  
SPECIAL AGENT  
FEDERAL BUREAU OF INVESTIGATION  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: December 15, 2018

City and State: Buffalo, New York



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*Michael J. Roemer*  
Judge's signature

HONORABLE MICHAEL J. ROEMER  
UNITED STATES MAGISTRATE JUDGE  
*Printed name and title*

**AFFIDAVIT**

STATE OF NEW YORK )  
COUNTY OF ERIE ) SS:  
CITY OF BUFFALO )

**I. INTRODUCTION**

I, **Thomas V. Weis**, Special Agent of the Federal Bureau of Investigation, United States Department of Justice, having been duly sworn, states as follows:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) of the United States Department of Justice. As such, I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in 18 U.S.C. § 2516.

2. I have served as an FBI Special Agent since March of 2017.<sup>1</sup> During that time, I have participated in investigations involving drug trafficking and organized crime matters. In addition, I have had the opportunity to work with several other FBI agents and other law enforcement agents and officers of varying experience levels, who have also investigated drug trafficking networks, with regard to the manner in which controlled substances are obtained, diluted, packaged, distributed, sold and used within the framework of drug trafficking in the

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<sup>1</sup> I was also previously employed from 2007 to 2014 as a United States Army Infantry Officer, and from 2014 to 2015 as a United States Secret Service Uniformed Officer with the Department of Homeland Security.

Western District of New York. As a result of my experience, I am familiar with how controlled substances are obtained, diluted, packaged, distributed, sold, and used in the framework of drug trafficking in the Western District of New York and how drug traffickers utilize wire communications to facilitate their illegal activities. My investigative experience detailed herein, and the experiences of other law enforcement agents, who are participating in this investigation, serve as the basis for the opinions and conclusions set forth herein.

3. Your Affiant states that this investigation was conducted by Special Agents of the FBI and other law enforcement personnel assigned to the FBI Buffalo Division – Joint Terrorism Task Force (FBI-JTTF)<sup>2</sup>. Your Affiant is fully familiar with the facts and circumstances of this investigation, such familiarity having been gained through: your Affiant's personal knowledge based upon your Affiant's participation in this investigation; statements by and/or reports provided to your Affiant by law enforcement personnel of the FBI-JTTF, Niagara Falls Police Department (NFPD), information provided by confidential sources; controlled evidence purchases of illegal drugs, physical surveillances, records checks of various public and law enforcement data bases, and other investigative techniques.

4. This affidavit is made in support of a criminal complaint charging **JEFFREY RICHARDS** with violations of Title 21, United States Code, Sections 841(a)(1) (distribution of a controlled substance) and 856 (maintaining drug-involved premises); Title 18, United

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<sup>2</sup> The JTTF is comprised of Agents and Investigators from Homeland Security Investigations, Immigration and Customs Enforcement, Department of State, Border Patrol, Niagara County Sheriff's Office, Niagara Falls Police Department, New York State Police, Amherst Police Department, and the Buffalo Police Department.

States Code, Section 924(c)(1)(A)(i) (possession of firearms in furtherance of drug trafficking); and Title 26, United States Code, Section 5861(f) (making a firearm in violation of this chapter). Under Title 26, the definition of a “firearm” includes destructive devices. See 26 U.S.C. §5845(a). A destructive device is defined in 26 U.S.C. § 5845(f) and includes any bomb, any weapon which can expel a projectile by the action of an explosive, and any combination of parts designed or intended for use in converting any device into a destructive device.

## **II. PROBABLE CAUSE**

5. For the reasons set out in this affidavit, there is probable cause to believe that the Target Offenses have been committed, are being committed, and will continue to be committed by an individual known as **JEFFREY RICHARDS**.

6. An investigation by the FBI-JTTF has revealed that **RICHARDS** is a significant narcotics trafficker and improvised explosive device maker in the Western New York area. Based on information obtained from confidential sources (CS-1, CS-2, SOI-1), agents have learned that **RICHARDS** obtains heroin and other narcotics from unknown suppliers for redistribution in the Niagara Falls, New York area and utilizes his residence to facilitate his drug trafficking and bomb making. Similarly, this investigation has revealed that **RICHARDS**'s associates also use his residence to store illegal narcotics.

7. Since 2018, the FBI has received information from confidential sources regarding **RICHARDS**. In particular, the FBI learned that **RICHARDS** is a self-proclaimed white supremacist who acquires explosive materials and objects to include metal cans for bomb-making purposes. Some of these explosives were in the shape of a ball with nails inside, wrapped in muffler tape, and have a green fuse on the top. **RICHARDS** also knows how to make liquid explosives with chlorine tablets and brake fluid. **RICHARDS** keeps these bombs at his residence. **RICHARDS** also stores a large amount of illegal narcotics, in which he sells from his residence.

8. Similarly, the FBI learned that **RICHARDS** possesses heroin, fentanyl, and other illegal narcotics inside his residence. **RICHARDS** has left glass and metal jars filled with nails and explosive material in plain view in his residence. **RICHARDS** stores firearms and narcotics in his residence.

9. On Friday, December 14, 2018, the Honorable Michael J. Roemer, United States Magistrate Judge, signed a search warrant for the search of **RICHARDS**'s residence. That day, FBI-JTTF executed the search warrant and seized the following items from **RICHARDS**' residence:

- a. Over 100 grams of suspected heroin/fentanyl mix.
- b. 100 Xanax pills.
- c. Estimate one half pound of suspected marijuana.
- d. More than three grams of suspected cocaine.
- e. Various drug packaging and processing materials to including scales, baggies, and razor blades.

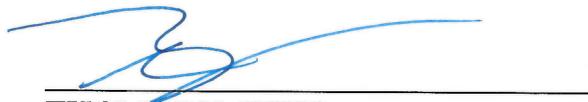
- f. Various drug paraphernalia.
- g. Five bolt action rifles.
- h. Two shotguns.
- i. One Taser.
- j. Large amount of various ammunition.
- k. Several commercial fireworks.
- l. One suspected improvised explosive device.
- m. Assorted nails, nuts, and bearings.

10. During the probable cause arrest of **RICHARDS**, a .45 caliber pistol was located under the driver seat of the vehicle that **RICHARDS** was operating. Based on my training and experiences, I know that drug dealers will carry firearms on their persons or in their vehicles during the distribution and trafficking of illegal narcotics.

11. During the post-Miranda interview of **RICHARDS**, **RICHARDS** stated that he buys fireworks and other commercial explosive devices and subsequently improves the concussion and explosions of these devices. Based on the assorted nails, nuts, and ball bearings located in his bedroom of his residence, and based on my training and experiences, I know that these items are used frequently in the production of improvised explosive devices. Furthermore, I've consulted with FBI Special Agent Thomas Horrigan, who is a trained and certified bomb technician, who confirmed that the materials recovered, as well as the improvised explosive device, is a destructive device, as defined in 26 U.S.C. § 5845(f).

**IV. CONCLUSION**

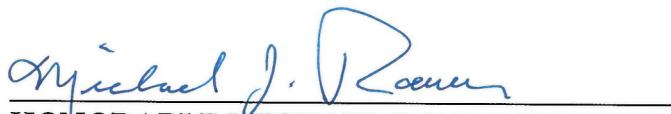
WHEREFORE, for all the foregoing, your affiant submits that based upon the information set forth in this affidavit, there is probable cause to believe that **JEFFREY RICHARDS** has violated Title 21, United States Code, Sections 841(a)(1) (distribution of a controlled substance) and 856 (maintaining drug-involved premises); Title 18, United States Code, Section 924(c)(1)(A)(i) (possession of firearms in furtherance of drug trafficking); and Title 26, United States Code, Section 5861(f) (making a firearm in violation of this chapter).



THOMAS V. WEIS  
Special Agent  
Federal Bureau of Investigation

Sworn to before me

this 15<sup>th</sup> day of December, 2018.



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HONORABLE MICHAEL J. ROEMER  
United States Magistrate Judge